

AMENDMENTS TO THE DRAWINGS

In response to item 3 of the Office Action, please replace the sheet previously showing Figure 4a with the attached Replacement Sheet showing Figures 4a and 4f. Applicant submits that no new matter has been added.

REMARKS

Objections to the Drawings

In response to the objection to the drawings for failure to show “the device to provide motion input to a computer system,” Applicant respectfully traverses.

The “device to provide motion input to a computer system” is shown in Figure 1a, as well as in the other Figures. For example, Figure 1a shows, as required by claim 10, a first module 11 having a sensor, a second module 12 having a signal processing unit, and a flexible arm member 13 connecting the first module and the second module. As the specification states in paragraph [019], “the device can be used as a gesture recognition system.” A “gesture” is defined as “a movement or movements collectively, of the body or part of the body, to express or emphasize ideas, emotions, etc.” An example of a gesture is when a user, wearing the device of claim 10 shakes his/her head “NO” or “YES.” Thus, the device can be used to provide motion input.

Therefore, Applicant respectfully submits that the drawings show the “device to provide motion input to a computer system” and respectfully requests withdrawal of the objections to the drawings under 37 CFR 1.83(a).

In response to the objection to Figure 4a, Applicant herein submits Amendments to the Drawings and a Replacement Sheet, as well as Amendments to the Specification for consistency and typographical errors. Applicant submits that no new matter has been added.

Election/Restriction Requirement

In response to the Election/Restriction Requirement, Applicant elects to prosecute Group I, claims 1-9, 14-26, 35 and 36, with traverse.

The Office Action asserts that the claims of Groups I and II are distinct from each other because they are unrelated. The Office Action asserts that the claims of Groups I and II are unrelated because they have different modes of operation. (*See* Office Action, p. 4).

However, as the Office Action states: “Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects.” (Office Action, p. 4, emphasis added).

Applicant respectfully submits that the Specification discloses that the claims drawn to pressure current input (Group I) and the claims drawn to motion input (Group II) are capable of use together. Therefore, the inventions are not unrelated.

For example, the specification states: “A device to provide input to a computer system, utilizing alternate means of input that do not require hands and limbs support.” (Specification, Abstract, emphasis added). As another example, the specification also states:

According to the exemplary embodiment of the present invention, the user “points and clicks”, e.g., moves a pointer or cursor, clicks, double-clicks, drags and drops icons and virtual objects, zooms, scrolls, etc., simply by breathing, puffing, biting a small device that may be positioned around the chin area with no direct contact with the mouth or skin. (Specification, paragraph 025).

Therefore, the specification discloses that the claims drawn to pressure current input and the claims drawn to motion input are capable of use together. Therefore, the inventions are not unrelated. Accordingly, Applicants respectfully submit that the restriction requirement is improper and request that the restriction be withdrawn.

CONCLUSION


Applicant respectfully submits that the above remarks are fully responsive to the Office Action and that the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Mr. Jim Scheller at (408) 720-8300.

Pursuant to 37 C.F.R. 1.136(a)(3), applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,
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